

**REMARKS**

Applicant has reviewed and considered the Final Office Action dated November 25, 2005. In response thereto, claims 27-28 are canceled without prejudice; claims 1, 18, and 26 are amended; and claim 29 has been added. As a result, claims 1-2, 4, 15-18, 24-26, and 29 are pending in the present application.

**Claims Rejections under 35 U.S.C. § 112**

Claims 1-2, 4, 15 and 17 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The term "periodically" has been deleted from claim 1, obviating the rejections thereof. It is to be understood, however, that this amendment is not to be construed as limiting the scope of the claimed invention. Claims 2, 4, 15 and 17 were rejected for being dependant on rejected claim 1. The above-referenced amendment obviates the rejections thereof.

Claims 1, 2, 4, 15, 17 and 27-28 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "periodically" has been deleted from claim 1, obviating the rejections thereof. It is to be understood, however, that this amendment is not to be construed as to limit the scope of the claimed invention. Claims 2, 4, 15 and 17 were rejected for being dependent on rejected independent claim 1. The above-referenced amendment obviates the rejections thereof.

Claims 27-28 have been canceled, obviating the rejections thereof. It is to be understood, however, that these cancellations are not to be construed as to limit the scope of the claimed invention. Rather, claim 26 was amended to encompass the subject matter of claims 27-28, rendering claims 27-28 superfluous.

**Claim Rejections under 35 U.S.C. § 103**

*Jacobson et al. in view of Schenker et al.*

Claims 1-2, 4, 17-18, and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 03/019422 A1 to Jacobson et al. in view of U.S. Patent 6,633,223 to Schenker et al. This rejection is traversed at least for the following reasons.

Jacobson et al. teach a mobile productivity tool for healthcare. The mobile productivity tool includes a mobile computing device (MCD) which exerts control over a camera such that no explicit action is required by the user to establish a correct relationship between the photograph and its context. *Jacobson et al., page 11, lines 8-10.* The mobile productivity tool includes the MCD and, in some embodiments, another computer in a stationary environment, such that the MCD collected information is available for storage, review, and retrieval using the stationary computer. *Jacobson et al., page 11, lines 23-33.* The MCD can convey data from the MCD to another MCD or to another computer in a stationary environment. *Jacobson et al., page 11, lines 14-27.* To the extent Jacobson et al. include a stationary or central computer, that computer is used for the limited purposes of storage, review, and retrieval of information:

Another embodiment of this invention is used in an environment where the data used in the MCD is also conveyed to another computer in a stationary environment having a compatible information access structure, such that the MCD collected patient encounter information and contextually supported photograph is available for storage, review, and retrieval using the stationary computer.

*Jacobson et al., p. 11, ll. 23-27.* At best, Jacobson et al. teach conveying data used in the MCD to a stationary computer. Jacobson et al. do not disclose, teach, or suggest “synchronizing data files stored on said central computer with data files stored in the first memory of said mobile using a conduit program between said central computer and said mobile memory,” and “exporting image files stored on said central computer to said second memory of said mobile computer,” both recited by claim 1, as amended. Jacobson et al. further do not disclose, teach, or suggest “synchronize the data files stored on said master database with data files stored in a first memory of the mobile computer” and “synchronize the image files stored on said master

database with a database stored in a second memory of the mobile computer by exporting the image files,” as recited by claim 18.

Schenker et al. disclose a method for tracking student attendance and student movement through the use of a data processing telecommunications network capable of receiving and processing wireless transmissions from mobile stations. A server with an associated memory is provided for storing data about students:

An embodiment of the present invention comprises a wireless data processing telecommunications network comprising a backbone, a server in communication with the backbone, an access point in communication with the backbone and a mobile station in wireless communication with the access point, wherein said server has a memory associated therewith, and wherein the mobile station comprises: an electro-optical reader for scanning encoded indicia and converting the encoded indicia into a first signal representing the encoded indicia, wherein the encoded indicia represents an image of a person and a code identifying the person; an operator interface operatively connected to said electro-optical reader for generating a second signal indicative of an activity of the person in response to operator manipulation of said operator interface; an electro-optical processor, operatively connected to said electro-optical reader and said operator interface, for receiving the first and second signals; a transceiver operatively connected to said electro-optical processor; a display operatively connected to said electro-optical processor; wherein said electro-optical processor is operatively configured and adapted to: display the image of the person on the display based on the first signal, and upon receipt from said interface of a third signal indicating correlation between the image and the person undertaking or wishing to undertake the activity, to cause said transceiver to transmit a fourth signal indicating activity and the person identified by the encoded indicia to said server over said access point of said backbone so that the activity of the person and the identity of the person can be stored in said server memory.

*Schenker et al., Col. 5, ll. 12-40.* Schenker et al. do not disclose, teach, or suggest “synchronizing data files stored on said central computer with data files stored in the first memory of said mobile using a conduit program between said central computer and said mobile memory,” and “exporting image files stored on said central computer to said second memory of said mobile computer,” both recited by claim 1, as amended. Schenker et al. further do not

disclose, teach, or suggest “synchronize the data files stored on said master database with data files stored in a first memory of the mobile computer” and “synchronize the image files stored on said master database with a database stored in a second memory of the mobile computer by exporting the image files,” as recited by claim 18.

Neither Jacobson et al. nor Schenker et al., alone or in combination, disclose, teach, or suggest “synchronizing data files stored on said central computer with data files stored in the first memory of said mobile using a conduit program between said central computer and said mobile memory,” and “exporting image files stored on said central computer to said second memory of said mobile computer,” both recited by claim 1, as amended. Similarly, neither Jacobson et al. nor Schenker et al., alone or in combination, disclose, teach, or suggest further does not disclose, teach, or suggest “synchronize the data files stored on said master database with data files stored in a first memory of the mobile computer” and “synchronize the image files stored on said master database with a database stored in a second memory of the mobile computer by exporting the image files,” as recited by claim 18. Accordingly, it is respectfully submitted that neither Jacobson et al. nor Schenker et al., alone or in combination, make obvious claim 1 or claim 18. As each of the remaining claims depends either directly or indirectly from one of claims 1 and 18, it is respectfully submitted that neither Jacobson et al. nor Schenker et al., alone or in combination, make obvious these claims. Accordingly, reconsideration and allowance are respectfully requested.

*Jacobson et al. in view of Schenker et al. and further in view of Verts*

Claim 15 was rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobson et al. in view of Schenker et al. as applied to claims 1-2, 4, 17-18 and 24, and further in view of Verts, William T., “An Essay on Endian Order”. This rejection is traversed for at least the following reasons.

As discussed above in relation to the rejection of claims 1-2, 4, 17-18, and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jacobson et al. in view of Schenker et al, the combination of Jacobson et al. and Schenker et al. fails to disclose the invention as claimed. Verts is an essay discussing computing systems and byte orders – specifically “Little

Endian” and “Big Endian” byte orders. Verts fails to remedy the fundamental teaching deficiencies of Jacobson et al. and Schenker et al. Thus, the applicants respectfully submit that claim 15 is patentable over the combination of Jacobson et al., Schenker et al., and Verts. Reconsideration and allowance are thus respectfully requested.

*Jacobson et al. in view of Schenker et al. and further in view of Karaoguz et al.*

Claims 25-28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobson et al. in view of Schenker et al. as applied to claims 1, 2, 4, 17-18 and 24, and further in view of Karaoguz et al. This rejection is traversed for at least the following reasons.

As discussed above in relation to the rejection of claims 1-2, 4, 17-18, and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jacobson et al. in view of Schenker et al, the combination of Jacobson and Schenker fail to disclose the invention as claimed. Karaoguz et al. teach a system and method for supporting the playback of user captured media when in an idle state. *Karaoguz et al., Abstract*. Karaoguz et al. fail to remedy the fundamental teaching deficiencies of Jacobson and Schenker. Thus, the applicants respectfully submit that claims 25-28 are patentable over the combination of Jacobson et al., Schenker et al., and Karaoguz et al.. Reconsideration and allowance are thus respectfully requested.

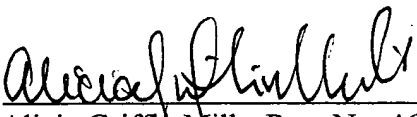
**CONCLUSION**

This application now stands in allowable form and reconsideration and allowance is respectfully requested.

Respectfully submitted,

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